

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Keith W. DeWitt, Sr., : Case No. 3:16-cv-00021
Plaintiff, :
vs. : District Judge Thomas M. Rose
Commissioner of the Internal Revenue : Magistrate Judge Sharon L. Ovington
Service, :
Defendant. :

ORDER

On November 6, 2019, Plaintiff was placed on notice that if he fails to timely respond to Defendant's Motion to Dismiss, or Alternatively for Summary Judgment, Defendant's Motion may be granted and his Complaint dismissed. (Doc. #16). Plaintiff has not responded to the previous Notice or to Defendant's Motion (Doc. #28). Because a definite deadline for Plaintiff to respond was not set in the previous Order, the Court hereby **ORDERS** that Plaintiff's response, if any, to Defendant's Motion to Dismiss, or Alternatively for Summary Judgment (Doc. #28) is **due by January 3, 2020.**

Plaintiff is placed on **NOTICE** that if he fails to timely respond to Defendants' Motion **by January 3, 2020,** the Motion may be granted and his Complaint dismissed.

December 17, 2019

s/Sharon L. Ovington

Sharon L. Ovington
United States Magistrate Judge